

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JAMES LEE ROYALL,

Plaintiff,

vs.

BENTON COUNTY, BENTON COUNTY
CORRECTIONS, and BENTON
COUNTY CORRECTIONS MEDICAL
DEPARTMENT.

Defendants.

NO. CV-09-5004-CI

ORDER DISMISSING COMPLAINT WITHOUT
PREJUDICE AND DIRECTING THAT
COLLECTION OF THE FILING FEE CEASE

BEFORE THE COURT is Plaintiff James Lee Royall's Motion to Voluntarily Dismiss Complaint pursuant to Fed. R. Civ. P. 41(a). Defendants have not been served in this action. Accordingly, **IT IS ORDERED** Plaintiff's Motion (Ct. Rec. 10) is **GRANTED** and the Complaint is **DISMISSED WITHOUT PREJUDICE**.

Plaintiff also filed a Declaration and Motion to waive collection of the remaining balance of the filing fee in this action. For good cause shown, **IT IS ORDERED** Plaintiff's Motion (Ct. Rec. 11) is **GRANTED** and the institution having custody of Mr. Royall shall cease collection of the filing fee in this action, cause number **CV-09-5004-CI**.

IT IS SO ORDERED. The District Court Executive is directed to enter this Order, enter judgment of dismissal without prejudice, forward ORDER DISMISSING COMPLAINT WITHOUT PREJUDICE AND DIRECTING THAT COLLECTION OF THE FILING FEE CEASE -- 1

1 a copy to Plaintiff and close the file. The District Court Executive is
2 further directed to send a copy of this Order to the **Benton County Jail,**
3 **Attn: Jail Office Supervisor, 7122 W. Okanogan Pl., Bldg. B, Kennewick,**
4 **WA 99336**, to forward to the appropriate agency having custody of
5 Plaintiff. The District Court Executive also **shall** provide a copy of
6 this Order to the Financial Administrator for the United States District
7 Court, Eastern District of Washington.

8 DATED April 13, 2009.

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11 s/ CYNTHIA IMBROGNO
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UNITED STATES MAGISTRATE JUDGE
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